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NATIONAL SCHEME OF LIBERATION AND REHABILITATION OF SCAVENGERS AND THEIR DEPENDENTS

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

PUBLIC ACCOUNTS COMMITTEE 2007-2008

FIFTY-SECOND REPORT

FOURTEENTH LOK SABHA

LOK SABHA SECRETARIAT
NEW DELHI

FIFTY-SECOND REPORT

PUBLIC ACCOUNTS COMMITTEE
(2007-2008)

(FOURTEENTH LOK SABHA)

NATIONAL SCHEME OF LIBERATION AND REHABILITATION OF SCAVENGERS AND THEIR DEPENDENTS

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

[*Action Taken on 9th Report of Public Accounts Committee (14th Lok Sabha)*]

Presented to Lok Sabha on 22.08.2007
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NEW DELHI
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COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE
(2007-2008)

Prof. Vijay Kumar Malhotra—*Chairman*

Lok Sabha

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4.	Shri M.K. Madhusudhan	—	*Deputy Secretary Gr.-II*
5.	Dr. Yumnam Arun Kumar	—	*Committee Officer*

INTRODUCTION

I, the Chairman, Public Accounts Committee, as authorised by the Committee, do present this Fifty-second Report on action taken by the Government on the recommendations of the Public Accounts Committee contained in their 9th Report (14th Lok Sabha) on "National Scheme of Liberation and Rehabilitation of Scavengers and their Dependents".

2. This Report was considered and adopted by the Public Accounts Committee at their sitting held on 18th July, 2007. Minutes of the sitting form Part II of the Report.

3. The Committee place on record their appreciation of the assistance rendered to them in the matter by the Office of the Comptroller and Auditor General of India.

4. The Committee also place on record their appreciation for the invaluable assistance rendered to them by the officials of Lok Sabha Secretariat attached with the Committee.

NEW DELHI;
24 *July*, 2007
2 *Sravana,* 1929 (*Saka*)

PROF. VIJAY KUMAR MALHOTRA,
Chairman,
Public Accounts Committee.

CHAPTER I

REPORT

This Report of the Committee deals with action taken by the Government on the Observations/Recommendations of the Public Accounts Committee contained in their Ninth Report (14th Lok Sabha) on Chapter I of the Report of the Comptroller and Auditor General of India for the year ended March, 2002 – Union Government (Performance Appraisals) No. 3 of 2003 relating to "National Scheme of Liberation and Rehabilitation of Scavengers and their Dependents".

2. The Ninth Report of the Public Accounts Committee which was presented to Lok Sabha on 23rd March, 2005, contained 18 Observations/ Recommendations. The revised/ updated Action Taken Notes on all the Observations/ Recommendations have been received from the Ministry of Social Justice and Empowerment and are categorized as under:

(i) Observations/Recommendations which have been accepted by Government:

Sl. Nos. 5, 6, 7, 8, 10, 11, 12, 14, 15 and 16

(ii) Observations/Recommendations which the Committee do not desire to pursue in view of the replies received from Government:

Sl. Nos. 2, 3, 13 and 18

(iii) Observations/Recommendations in respect of which replies of Government have not been accepted by the Committee and which requires reiteration:

Sl. Nos. 1, 4, 9 and 17

(iv) Observations/Recommendations in respect of which Government have furnished interim replies:

Sl. Nos. - Nil -

3. The Committee in their Ninth Report on the subject had made the following important Observations/ Recommendations:—

(i) The National Scheme of liberation and rehabilitation of scavengers and their dependents though well-intentioned, was ill conceived as it had failed to harness its operational parameters to the complex structure of a highly stratified society resisting occupational reform. Absence of base-line survey, non-involvement of district development authorities, commercialisation of the assistance patterns have led to loss of focus on the monitoring aspect of the Scheme.

(ii) Noting that the Scheme suffered, because it was not calibrated to relate its parameters to the legal framework provided by the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act 1993 and continued to operate in a persuasive mode without the legal means to penalize for its violation, the Committee had recommended that the Ministry should look into the grey areas experienced by the States in enforcing the Act and lying out clear cut steps to remove bottle necks and correlate legal framework with the attainment of objectives of the scheme,.

(iii) The Committee have recommended to conduct a fresh survey so as to ensure the availability of a reliable data of the number of scavengers to be liberated and rehabilitated. For this, it is also essential to define the boundaries so as to make the out reach of the scheme only to the potential beneficiaries *i.e.* Scavengers as envisaged in the scheme and not to all the Safai Karamcharis engaged in cleaning and sweeping occupation as extension of benefit to them is construed as leakage of benefits to ineligible persons.

(iv) Noting that there was no coordination amongst the three Ministries, nor the scheme inter-faces been mapped in any of the scheme documents to avoid over-lapping and asymmetries, the Committee, recommended that a single National programme be formulated and implemented by the Ministry of Social Justice and Empowerment as a mission with the objective of eliminating this scourge within the next four-five years.

(v) Pointing out that there was improper utilisation of funds by the State Governments, which was evident from the accumulation of huge unspent balances at the end of each Financial Year, the Committee had asked the Ministry to step up monitoring efforts for the optimum utilization of funds by the States on a regular basis.

(vi) The Committee had desired that the Ministry should put in place, a suitable mechanism to ensure that the Central Level Committee and the Committees at the State Level must meet regularly and strive to ensure threadbare analysis of the reports submitted by the different Monitoring Committees at different levels.

4. The Action Taken Notes furnished by the Ministry of Social Justice and Empowerment have been reproduced in the relevant Chapters of this Report. The Committee will now deal with the Action Taken by the Government on some of their Observations/Recommendations that require reiteration or merit comments.

A. Sporadic, Non/ Poor Achievement of the objectives of the Scheme

(Recommendation Sl. No. 1, Para No. 103)

5. In their Ninth Report, the Committee had observed that The National Scheme of Liberation and Rehabilitation of Scavengers and their Dependents Scheme had failed to deliver its social vision after ten years of continuous but regrettably half hearted efforts and also in working out a coherent strategy for policy initiatives as it could not take advantage of an existing law that prohibited employment of Scavengers. It also failed in enhancing or reorienting the skill levels of the beneficiaries necessary

for change of occupation and in its mission of replacing the hereditary practice by skill based choice of profession. Absence of base-line survey, non-involvement of district development authorities, commercialization of the assistance patterns have led to a loss of focus of the monitoring aspect of the scheme.

6. In their Action Taken Note the Ministry of Social Justice and Empowerment have stated that in order to supplement the efforts of the State Governments to put an end to this abominable practice as quickly as possible, the Ministry of Urban Employment & Poverty Alleviation had enacted a Central legislation, namely the "Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993." The State Governments have been entrusted the responsibility of enforcing the various provisions of the Act. The fundamental issue remains the planning and implementation of the provisions of the Act by State Governments and the coordination among their nodal agencies . This is because the Model by-laws cannot be implemented without adoption, support and involvement of the State Governments. A "National Action Plan' for total eradication of manual scavenging by 2007", had also been prepared by the Planning Commission and the Ministry of Urban Employment and Poverty Alleviation had been made the Nodal Ministry for its implementation. A Central Monitoring Committee for reviewing its implementation had also been constituted under the Chairpersonship of Secretary (Social Justice and Empowerment). The Secretary, Ministry of Urban Employment and Poverty Alleviation had requested all the Chief Secretaries of States and UTs to conduct a detailed survey on the number of dry latrines existing in their respective States/Union Territories and the number of scavengers and their dependents which are still practising manual scavenging.

7. The Ministry of Social Justice and Empowerment have further stated that as per the decision taken in the meeting of the Committee of Secretaries of the States, they are also formulating an integrated Scheme for rehabilitation of manual scavengers and that the Government of India have accorded highest priority for rehabilitation of manual scavengers by including it as one of the items in the 'Thrust Areas' of the Ministry of Social Justice & Empowerment.

8. Even though the Government had formulated grandiose plans for eradication of manual scavenging by 2007 and rehabilitation of all manual scavengers by 2008, the Government has not made available any information relating to targets set and achievements made during each of the years since 2002, in respect of the number of manual scavengers that were liberated and rehabilitated. In the absence of any meaningful feedback, the Committee cannot but conclude that much progress has not been made in respect of the implementation of the Scheme. Obviously, there was no monitoring mechanism to review the targets fixed and achievements made there against during each year under the scheme, which is anything but regrettable.

Further, under the new scheme namely 'Nation Action Plan for Total Eradication of Manual Scavenging by 2007', prepared by the Planning Commission and entrusted to the Ministry of Urban Employment and Poverty Alleviation for its implementation, no mention has been made with regard to the physical targets laid and achievements made their against. Besides, there has been no mention about the achievements made in respect of the number of scavengers rehabilitated under the Integrated Scheme for

Rehabilitation, being implemented by the Ministry of Social Justice and Empowerment, though the scheme intends to rehabilitate all the manual scavengers by 2008. The Committee deplore the callous attitude displayed by the Ministry in not furnishing the requisite information to the Committee. The Committee are of the view that there is no point in setting goals unless and until a concrete and time bound action plan is prepared and yearly targets are fixed for achievement of the same. The Committee expect that the Ministry would apprise them of the total number of manual scavengers liberated and rehabilitated under the NSLRS till March, 2007 and those which are yet to be liberated and rehabilitated. They would also like to be apprised of the targets set and achievements made upto 31st March, 2007 under the Integrated Scheme for rehabilitation of manual scavengers.

The Committee would also like the Ministry of Social Justice & Empowerment and Ministry of Urban Development to work in close coordination alongwith the State Governments so that the schemes envisaged for the benefit of scavengers are implemented in letter and spirit.

B. Need to Conduct a Fresh Survey so as to Ensure Availability of Reliable Data of Number of Scavengers

(Recommendation Sl. No. 4, Para No. 106)

9. Noting that the baseline surveys conducted in the States suffered from a number of infirmities which resulted in non-availability of any reliable data with the Ministry even after a decade on the number of scavengers and their dependents , the Committee recommended to conduct a fresh survey so as to ensure the availability of a reliable data of the number of scavengers to be liberated and rehabilitated. For this, it is also essential to define the boundaries so as to make the out reach of the scheme only to the potential beneficiaries i.e. Scavengers as envisaged in the scheme and not to all the Safai Karamcharis engaged in cleaning and sweeping occupation as extension of benefit to them is construed as leakage of benefits to ineligible persons.

10. In their Action Taken Note, the Ministry of Social Justice & Empowerment have stated that as per the National Action Plan, proper identification of manual scavengers is required to be done as per the definition given in the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 and photo-IDs should be issued to the identified scavengers. The Secretary, Ministry of Urban Employment and Poverty Alleviation had requested the Chief Secretaries of the States on 10th September, 2004 to carry out the survey on an urgent basis.

11. The Ministry have further stated that as per the information supplied by State Governments and as per the 38th Round NSSO Survey in 1989, the total number of dry latrines yet to be converted into wet toilets stands at 1.16 million units.

12. The Committee were dismayed to find that the Ministry have not taken any concrete steps for implementation of its recommendation for conducting a fresh survey to identify the potential scavengers which are to liberated and rehabilitated. The Ministry have merely mentioned about the request that was made by the then Secretary to the Chief Secretaries of States way back in September, 2004 for carrying out the survey, and that too much before presentation of the Report by the Committee.

There is no evidence to suggest whether Ministry have taken any follow up action to persuade the State Governments to complete the survey expeditiously, even after lapse of about 3 years since the date of their request. This shows that the Ministry have not taken up the survey work with all the seriousness which it deserves. While deploring the lackadaisical approach adopted by the Ministry, the Committee recommend that Ministry should atleast woke up now and ensure completion of the survey by the States expeditiously within a time-bound period so that it would facilitate in arriving at a proper estimate about the number of scavengers that are required to be liberated/rehabilitated and specific future plans for covering these people in a time bound programme .

C. Need for Refixing the Revised Stipulated Targets for Conversion of Dry Latrines into wet ones within a time bound Programme

(Recommendation Sl. No. 9, Para No. 111)

13. In Ninth Report, the Committee had observed that to liberate all the scavengers, revised stipulated targets should be refixed for the conversion of dry latrines into the wet latrines within a time bound programme to achieve the revised targets.

14. The Ministry of Social Justice and Empowerment in their Action Taken Note have stated that the Planning Commission has formulated National Action Plan for Total Eradication of Manual Scavenging by 2007. For effective implementation and monitoring of the National Action Plan, a Central Monitoring Committee under the Chairmanship of Secretary, Ministry of Social Justice and Empowerment has been constituted. Ministry of Urban Employment and Poverty Alleviation organized a Conference of State Welfare Ministers on 22.06.2005 on 'Eradication of Manual Scavenging'. Representatives of various States/Central Ministries/Organisations and NGOs took part in this Conference. The Conference was convened to expand the awareness and also to evaluate the impact of Govt.'s Programme in the field of liberation and rehabilitation of scavengers. Minister of State (Independent Charge) for Urban Employment and Poverty Alleviation has also written to the Chief Ministers of States to impress upon the implementing agencies of various States to accord top priority to the schemes, which relates to the welfare of the weaker sections of the society.

15. The Committee express their satisfaction that a National Action Plan has been formulated for total eradication of manual scavenging by 2007 and a Central Monitoring Committee under the Chairmanship of Secretary, Social Justice and Empowerment has been constituted for effective implementation and monitoring of the Action Plan. The Committee trust that the scheme would be implemented in the right earnest by the Ministry in close coordination with the State Governments and the implementing agencies so that the objective of total eradication of manual scavenging is achieved within the period stipulated under the National Plan. The Committee would also like to be apprised of the progress made in the eradication of manual scavenging within three months of the presentation of Report. The Committee desire that the Ministry of Urban Employment and Poverty Alleviation should formulate a time bound programme under which all the dry latrines may be converted into wet

latrines. The Ministry should frequently interact with the State Governments and the implementing agencies at regular intervals so as to monitor the progress made in the implementation of the schemes relating to eradication of manual scavenging.

D. Need to fix Periodicity for the Meetings of District and town Committees for Implementation of NSLRS

(Recommendation Sl. No. 17, Para No. 119)

16. The Committee in their 9th Report had observed that while the Central and State level Monitoring Committees constituted for monitoring the scheme were required to meet quarterly, no such periodicity was fixed for the meetings to be held by the District and Town Committees.

17. In their Action Taken Notes, the Ministry have stated that although no periodicity has been prescribed for District and Town Committees, these Committees are to meet at such intervals as required for effective and fruitful implementation of the scheme.

18. The Committee are not satisfied with the reply of the Ministry. Non-fixing of any periodicity for the meetings to be held by District and Town Monitoring Committees would lead to slackness and complacency as it would not be binding on the part of the District Authorities to hold the meetings at regular intervals. The Committee are of the opinion that periodicity at which the District and Town Committees should meet in a year should be prescribed in clear cut terms so that there is no ambiguity in this regard and there can be proper monitoring of the scheme by these Committees. Needless to emphasise, periodic review of work would facilitate the Central as well as State level Monitoring Committees to review the progress made in the implementation of the programme throughout the country.

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS THAT HAVE BEEN ACCEPTED BY GOVERNMENT

Observation and Recommendation

The Scheme had envisaged that the obnoxious occupation would come to an end if all those who were engaged in this occupation and their dependents were rehabilitated in alternative and dignified occupation. The liberation of the scavengers was possible only when the practice of using dry latriness was eliminated. The Committee are constrained to point out that the scheme failed to provide the necessary linkages amongst the implementing agencies and the Ministries administering the scheme encompassing the whole range of operations. Instead, the Ministry of Social Justice and Empowerment confined itself only to the aspects of identification, training and rehabilitation leaving the liberation issues to the Ministries of Urban Development and Rural Development who, separately, and independently implemented their own schemes for liberation under the 'Low Cost Sanitation Scheme' and the 'Rural Sanitation Programme' respectively. The Committee regret to observe that there was no coordination amongst the three Ministries nor had the scheme interfaces be mapped in any of the scheme documents to avoid overlapping and asymmetries. Another disquieting fact observed by the Committee is that the Low Cost Sanitation Scheme carried out by the then Ministry of Urban Development for liberation of urban scavengers was a failure as they did not fix any physical or financial targets. The Committee recommend that a single national programme be formulated and implemented by the Ministry of Social Justice and Empowerment as a mission with the objective of eliminating this scourge within the next four-five years.

[Sl. No. 5 Appendix II Para No. 103 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

The Ministry of Social Justice and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers in a time bound manner.

Comments of Audit

Ministry may intimate the time frame within which a single national programme for elimination of manual scavenging within the next four-five years, be formulated and implemented by the Ministry of Social Justice and Empowerment.

Revised action taken note

Planning Commission have since formulated a National Action Plan for Total Eradication of Manual Scavenging by 2007. The Ministry of Social Justice and Empowerment is also framing an integrated scheme for rehabilitation of Manual

Scavengers. The proposed Scheme envisages that all the manual scavengers will be rehabilitated by 2008.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Committee find that the Integrated Low Cost Sanitation Scheme was implemented through Housing Urban Development Corporation. The first objective was to convert dry latrines into twin pit pour flush units, and the second objective was to construct new toilets where no facility was available in order to liberate the persons involved in manual scavenging. The funding pattern, according to the Ministry under Integrated Low Cost Sanitation Scheme is part subsidy and the part loan given by HUDCO. The loan is availed by the Municipal Board or by the concerned agency and the subsidy element is taken away but the State Governments are wary of taking loans since HUDCO being a commercial organization, insists on State guarantees. The Committee also note that out of the subsidy aggregating to Rs. 480.22 crore sanctioned by the then Ministry of Urban Development, only Rs. 246.68 crore had been released upto 31 December, 2001 and loans aggregating to Rs. 583.51 crore sanctioned, only Rs. 278.60 crore were released and out of the 6 lakh identified scavengers in urban areas only 37340 i.e. 6.2 per cent were liberated. The low progress made by this scheme has been attributed by HUDCO to the time lag between the sanction and release of subsidy and loans to delays in documentation, non-availability of Government guarantees, belated submission of utilisation certificates and slow physical progress. The Committee are constrained to point out that there was no evidence of the Ministry having initiated any remedial measures aimed at removal of these hurdles to enable the successful implementation of the scheme.

[Sl. No. 6 Appendix II Para No. 108 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

The Integrated Low Cost Sanitation Scheme was transferred to the Ministry of Urban Employment and Poverty Alleviation from the Ministry of Urban Development in 2003 only. Secretary (UE & PA) took meetings with the concerned State Secretaries on 7th July, 2003 and again on 22nd November, 2004 to review the scheme.

Comments of Audit

Ministry's reply that the Integrated Low Cost Sanitation Scheme was transferred to the Ministry of Urban Employment and Poverty Alleviation from the Ministry of Urban Development in 2003 only, is not clear since Ministry of Urban Employment has been renamed as Ministry of Urban Employment and Poverty Alleviation. Ministry may also mention specific remedial measures taken to remove hurdle in the successful implementation of the Intergrate Low Cost Sanitation Scheme.

Revised Action Taken Note

The Ministry of Urban Development and the Ministry of Urban Employment and Poverty Alleviation are two different Ministries headed by spearate Ministers. Earlier, the Department of Urban Employment and Poverty Alleviation was a part of the ministry of Urban Development and Poverty Alleviation. The Integrate Low Cost Sanitation Scheme (ILCS) prior to 2003 was being implemented by the Ministry of Urban Development. It is now implmentated by the Ministry of Urban Employment and Poverty Alleviation. To remove the bottlenecks in the ILCS, a revised EFC memo has been prepared and is under circulation.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Committee note that according to the Ministry of Rural Development, 20 States and Union Territories have no dry latrines and no manual sanitation was prevalent in rural areas. The Ministry have contended that only Karnataka, Madhya Pradesh, Manipur, Rajasthan and Sikkim had reported the practice of manual scavenging in rural areas. The committee note that the Ministry had not fixed any targets for conversion of dry latrines into water-borne flush latrines, nor were separate allocations made for the purpose. The State Governments are stated to have been directed by the Ministry of Rural Development to utilise the funds allocated under the Central Rural Sanitation Scheme for conversion of dry latrines into pour flush latrines. Further, the 'Rural Sanitation Programme' had got dovetailed into the 'Total Sanitation Campaign' launched in 1999. The main objectives of the Total Sanitation campaign was to accelerate the sanitation coverage by creating the felt need among the rural population about sanitation and also impart hygiene education to the people. It aimed at attaining this objective by focussing on intensive Information, Education and Communication and by providing on intensive Information, Education and Communication and by providing cost effective and appropriate technologies through alternate delivery mechanism such as the Rural Sanitary Marts or Production Centres.

[Sl. No. 7, Appendix II, Para No. 109 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

Government of India accord highest priority to promote rural sanitation for which it has launched Total Sanitation Compaign (TSC). These projects are already sanctioned in 478 districts of the country and a policy decision has been taken to extend these projects to remaining districts of the country within the 10th Plan period. In these projects, 3.94 crore individual household toilets, 4.59 lakh number of school toilets, 1.22 lakh Anganwadi toilets, 30,213 community complexes and 3,752 **Rural Sanitary Marts (RSM)/Production Centres (PC)** have been sanctioned. The

achievement so far has been construction of 1.23 crore individul household toilets, 1.39 lakh school toilets, 24,627 lakh Anganwadi toilets, 4,829 community complexes and 4,109 **Rural Sanitary Marts (RSM)/Production Centres (PC).**

Government of India has also launched Nirmal Gram Puraskar to give incentive to PRIs to involve them in rural sanitation. First set of Nirmal Gram Puraskar was distributed by His Excellency President of India on 24th February, 2005.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

At present Total Sanitation Campaign is being implemented in 426 districts of the country, which is likely to be further scaled up to cover all the remaining districts in the country. According to the Ministry, 100.13 lakh individual toilets, 1.14 lakh school toilets, 17,606 Balwadi toilets and 3,862 community sanitary complexes have been constructed. Prior to launching of Total Sanitation Campaign, under Central Rural Sanitation Programme, 94.80 lakh individual household toilets had been constructed in rural areas. Concurrent evaluation of the campaign is essential. The Committee wishes that the Ministry of Rural Development to place the highest emphasis on this aspect.

[Sl. No. 8, Appendix II, Para No. 110 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

Total Sanitation Campaign (TSC) projects are already sanctioned in 478 districts of the country and a policy decision has been taken to extend these projects to remaining districts of the country within the 10th Plan period. In these projects, 3.94 crore individual household toilets, 4.59 lakh number of school toilets, 1.22 lakh Anganwadi toilets, 30,213 community complexes and 3,752 Rural Sanitary Marts (RSM)/Production Centres (PC) have been sanctioned. The achievement so has been construction of 1.23 crore individual household toilets, 24,627 lakh Anganwadi toilets, 4,829 community complexes and **4,109 Rural Sanitary Marts (RSM)/ Production Centres (PC).**

Government of India has also increased resource allocation for rural sanitation in the last few years and the budget estimates for rural sanitation has increased from Rs. 165.00 crore in 2003-04 to Rs. 700.00 crore in 2005-06. Government of India hopes to accelerate the sanitation coverage in the remaining period of the 10th Plan and during the 11th Plan.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

11

Observation and Recommendation

The Committee note that training to indentified scavengers and their dependents, in the age group of 15 to 50 years, was expected to equip them with the requisite skills and expertise to successfully implement self-employment projects. The Committee have been informed that the scavengers are trained in the institutes run by the Centre and the State Governments and also by reputed voluntary organisations as per TRYSEM norms. The type of training imparted depended upon the aptitude, capability and inclination towards a particular trade. However, to their utter dismay, the Committee have found that only 2.02 lakh beneficiaries out of 5.38 lakh eligible beneficiaries were trained during the Eighth and Ninth Plan periods (1992-2002). The Committee regret to observe that targets for training were not communicated by the Ministry to the States which resulted either in targets not being prescribed by the States or in targets being determined only on ad hoc basis. Consequently, shortfall in training coverage was as high as 68 per cent and targets set for the Eighth Plan were not achieved even at the end of the Ninth Plan. No special curriculum was developed for training of scavengers though it was recognised that occupational shift in low skill areas would require special measures.

[Sl. No. 10, Appendix II, Para No. 112 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

States were well aware that they had to rehabilitate all the liberated scavengers in alternative and dignified occupations by providing them suitable training as per their aptitude. There are some trades, which do not require training before rehabilitation. However, 100% Central assistance was provided for training of liberated scavengers under the NSLRS.

The Government of India, while calling proposals under the scheme, had reiterated the State Governments/SCDCs to provide suitable training to scavengers as per TRYSEM norms in Central/State Government Training Institutes and also training institutions run by reputed NGOs, keeping in view of their aptitude. Since the training was in specific training institutions, which already had a curriculum on the trades, it was not considered necessary to develop a centralized curriculum.

The Ministry of Social Justice and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers by providing them need based training taking into their attitudinal behaviour, aptitude and education standards.

The Training would be provided under the two types of training programme *viz.*, Institutional Linkages Programmes (ILP) and Entrepreneurship Development Programme (EDP).

Comments of Audit

Ministry may inform the PAC the time frame for formulation and implementation of an integrated scheme for rehabilitation of manual scavengers by providing them need based training taking into their attitudinal behaviour, aptitude and educational standards.

Revised Action Taken Note

The Ministry of Social Justice and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers. The proposed scheme envisages that all the manual scavengers will be rehabilitated by 2008.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Committee desire that the Ministry should immediately lay down the requisite targets for training purposes of the scavengers liberated so that they do not relapse into their hereditary occupation. For this purpose, special training scheme should also be designed keeping in view their low skill level the focus being on the creation and upgradation of the skills for self-employment. The Committee further feel that the need for revitalizing the training infrastructure should also be looked into a greater depth. For this the Ministry should consider the feasibility of involving Non-Governmental Organisations, especially in certain selected training activities to bring about a fruitful training programme ensuring that their attitudinal behaviour, aptitude and education standards are taken into consideration for the rehabilitation programme.

[Sl. No. 11, Appendix II, Para No. 113 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

Training is imparted to the liberated scavengers in the age group of 15—50 years keeping in view their aptitude *vis-a-vis* the trade in which they are rehabilitated.

As per the National Action Plan for Total Eradication of Manual Scavenging by 2007, NGOs would provide entrepreneurial assistance to the liberated scavengers to engage themselves in various avenues of alternative employment.

The Ministry of Social Justice and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers. The scheme, on its inception, will address the issue.

Comments of Audit

Ministry may inform the PAC the time frame for formulation and implementation of an integrated scheme for rehabilitation of manual scavengers by providing them

need based training taking into their attitudinal behaviour, aptitude and educational standards.

Revised Action Taken Note

The Ministry of Social Justice and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers. The proposed scheme envisages that all the manual scavengers will be rehabilitated by 2008.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Committee note the Rehabilitation Programme under the Scheme contemplated (i) a time bound survey to identify scavengers and their dependents and their aptitudes for alternative trades; (ii) identification of trades and preparation of a shelf of projects; and (iii) the imparting of training with stipend to identified beneficiaries in the identified trades. The Committee, however, note that against the target of 5.20 lakh scavengers to be rehabilitated from 1997-98 to 2001-2002, only 2.03 lakh scavengers were rehabilitated during this period. During 9th Plan only 39 percent of the target could be met whereas in the 8th Plan 62 percent of the targeted beneficiaries were rehabilitated. Thus, the number awaiting rehabilitated at the end of the 9th Plan period was more than twice the number at the close of the 8th Plan period. The Committee, however, regret to observe that more than 40 percent of the beneficiaries remained un-rehabilitated even after a decade of the implementation of the scheme. This, according to the Committee, was due to the fact that the resources were neither released nor applied judiciously, there by leading to accumulated unspent funds and hasty release at the end of the financial year. But absence of reliable baseline data which could form the basis of target setting, led to incorrect projections and even more incorrect conclusions in regard to the outcome of the rehabilitation measures. The Committee would, however, also like to point out that rehabilitation efforts were characterized by misapplication of resources, emphasis on low-cost projects for availing of cash benefits without income generation and mismatches between skills and occuptions.

[Sl. No. 12, Appendix II, Para No. 114 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

The NSLRS was launched on 22nd March, 1992 with the objective to liberate the scavengers and their dependents from their existing hereditary obnoxious and inhuman occupation of manually removing night soil and filth and to provide for and engage them in alternative and dignified occupations.

Training is imparted to the liberated scavengers in the age group of 15—50 years keeping in view their aptitude *vis-a-vis* the trade in which they are rehabilitated.

Since the inception of the scheme, 4,08,972 scavengers and their dependents were rehabilitated as on 31.3.2002.

As the Committee has rightly observed in para 107 that the liberation of the scavengers was possible only when the practice of using dry latrines was eliminated. Thus, scavenging continues because of the existence of dry latrines. However, all out efforts are being made for conversion of dry latrines, construction of wet latrines and rehabilitation of all the remaining manual scavengers in a time bound manner. The Ministry of Social and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers.

Comments of Audit

Ministry may inform the PAC the time frame for formulation and implementation of an integrated scheme for rehabilitation of manual scavengers by providing them need based training taking into their attitudinal behaviour, aptitude and educational standards.

Revised Action Taken Note

The Ministry of Social Justice and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers. The proposed scheme envisages that all the manual scavengers will be rehabilitated by 2008.

Sd/-

Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Scheduled Castes Development Financial Corporation and banks which were responsible for the implemenation of income-generating rehabilitation schemes failed to deliver as there was no clear indication of the path of occupational change. Training in low skill alternative occupation was inadequate, impractical and disoriented. Factors of habitation, cluster, aptitude, gender and motivation were ignored for the statistically visible loan-projects. There too the rejection percentage was as high as 74 percent in Tamil Nadu and 47 percent in Maharashtra. To Expect an illiterate and poor scavenger to comply with the rigours of project-financing by commerical banks, was to say the least, unimaginative. Instances of banks rejecting a large number of applications or adopting a cautious approach was also indicative of the fact that the implementing agencies and Scheduled Castes Development Financial Corporations did not exercise sufficient care in the formulation of viable projects that could be financed by the banks. The Committee recommend that Ministry of Urban Employment and Poverty Alleviation should take up the matter with the State Governments to impress upon SCDCs that they should formulate technically and commercially viable projects to avoid rejection of loan applications by the banks. The bank should also be instructed through Ministry of Finance to be more compassionate while dealing with the loan applications of the scavengers. The committee would like to be informed of the precise steps taken in this regard.

[Sl. No. 14, Appendix II, Para No. 116 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

Department of Banking, M/o Finance have already been requested by the Ministry of Urban Employment and Poverty Alleviation to issue necessary instructions to the Nationalised banks regarding release of loans to the target group for facilitating their rehabilitation.

Moreover, the Ministry of Social Justice and Empowerment, vide communication dated 8.4.2005, has also apprised the Ministry of Finance about the role of commercial banks in the rehabilitation of liberated scavengers and requested to direct all the scheduled commerical banks to extend hassle free loans to the manual scavengers at concessional rate of interest in order to achieve the desired objective.

In the new integrated scheme being formulated for rehabilitation of manual scavengers, it is under consideration that the loan component of the project would be provided by the NSKFDC.

Sd/-
Signature of Joint Secretary.

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Committee have been given to understand that against the budget estimate of Rs. 807.70 crore, the actual expenditure was Rs. 620.69 crore during the years 1997-2002. The funds released for the scheme during 2002-2003 and 2003-2004 have been Rs. 40.95 crore and Rs. 24.27 crore respectively, Reduction in funds released during the last two years has been explained by the Minsitry by saying that this has been done due to accumulation of the unspent balances of the previous years with the State Governments. They have contended that the reduction in the flow of funds have not affected the achievement of targets. The Committee are constrained to point out that there has not been proper utilisation of funds by the State Governments for this vital scheme which is evident from the accumulation of the huge unspent balances at the end of each Financial Year. This in turn has contributed to the tardy progress of the implementation of the scheme. It is obvious that the Ministry have not been able to identify the precise reasons from the State Governments for this financial mismanagement. The Committee have taken a serious view of this state of affairs and would like to emphasise the need to ensure full utilisation of the funds released for the scheme by the States. The Committee would like the Ministry to step up monitoring efforts for the optimum utilisation of funds by the States on a regular basis and should promptly take up the matter with that States where there are instances of poor utilisation of allocated funds.

[Sl. No. 15, Appendix II, Para No. 117 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

Government of India has taken up the matter with the State Governments. State Governments have been emphasized from time to time that the amount of central assistance should be utilized for the purpose for which it has been sanctioned.

In the conference of State Welfare Ministers on Manual Scavenging held on 22.6.2005 at New Delhi, State Governments have been requested to submit the pending utilization certificates in respect of funds released under NSLRS and ILCS.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

Another areas of concern in the financial management that came to the notice of the Committee is the failure on the part of the State Governments and SCDCs to submit the outstanding utilisation certificate in 91 per cent of the total grants-in-aid of Rs. 642.43 crore released during 1991-2002 for the implementation of the Scheme. The Committee are constrained to point out that even after a lapse of 12 years, the Ministry have still not realized outstanding utilisation certificate from the defaulting State Governments and the SCDCs. This clearly is indicative of casual approach and lack of urgency on the part of those State Governments and SCDCs in effective utilisation of the funds. The inordinate delay on the part of the Ministry to evolve a viable and effective mechanism for the realisation of such a huge financial corpus is unconscionable. The Ministry could not explain the reasons for non-submission of utilisation certificates by the State Implementing Agencies and have not explained efforts being made by them in this regard. The Committee expect the Ministry to henceforth strictly monitor the norms regarding submission of the utilisation certificates by the implementing agencies and take prompt measures at highest level to impress upon the States to act swiftly in this regard.

[Sl. No. 16, Appendix II, Para No. 118 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

No funds are released to those States who have not submitted the Utilisation Certificates in respect of funds released earlier.

Minister of State for Urban Employment and Poverty Alleviation has addressed to the Chief Ministers on 03-01-04 and Secretary, Ministry of Urban Employment and Poverty Alleviation wrote to the Chief Secretaries on 11-08-2004 regarding submission of UCs in respect of funds released earlier.

In the conference of State Welfare Ministers on Manual Scavenging held on 22.6.2005 at New Delhi, State Governments have been asked to submit the pending utilization certificates in respect of funds released under NSLRS and ILCS.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

CHAPTER III

OBSERVATIONS/RECOMMENDATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES RECEIVED FROM GOVERNMENT

Observation and Recommendation

The Committee observe that even at this stage of its implementation, the Scheme still continues to remain a prisoner of it own statistics. Absence of creditable database of targeted beneficiaries has robbed the scheme of its objectivity. The loss of links between liberation, training and rehabilitation has derailed the Scheme. The Scheme visualised the rehabilitation of all the 4 lakh scavengers and their dependents estimated by the Task force in March 1991 by the end of the Eighth Plan period (1992-97). Against this, the Scheme claimed to have rehabilitated only 2.68. This did not, however, result in a reduction in the total number, as subsequent surveys conducted between 1994-95 and 2001-02 estimated the number as 7.87 lakh necessitating upward revision of the targets. Further, the Ministry of Social Justice & Empowerment, which was the then nodal Ministry for the Scheme, claimed to have rehabilitated 4.71 lakh scavengers during 1992-2002, while the Ministries of Urban and Rural Development projected that only 0.37 lakh scavengers had been liberated during the same period. In addition to this, there is no evidence to suggest the actual number of those liberated and the number which were in fact rehabilitated. The Scheduled Castes Financial Development Corporations responsible for implementation of the Scheme at the State level have failed to deliver the positive results, which can be substantiated by the fact that there is no clear-cut indication in the occupational changes of scavengers. Besides, training imparted is inadequate, impractical and disoriented. The Committee is of the view that it is the lack of purpose in aligning the parameters of the Scheme and lack of will in implementing it that led to the Scheme floundering on its own principles. The committee's examination of some of the important dimensions on the issues reviewed by Audit highlights the fact that the implementation of the Scheme continues to be afflicted by serious shortcomings which are summed up in the succeeding paragraphs.

[Sl. No. 2, Appendix II, Para No. 104 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

The scheme visualized the rehabilitation of all the 4 lakh scavengers and their dependents estimated by the Task Force in March 1991. Against this, 4,08,972 scavengers and their dependents are reported to have been rehabilitated up to 31.3.2002.

Secretary (UE&PA) has already addressed to all Chief Secretaries of the States and UTs to conduct a detailed survey on the number of dry latrines in existence in the

States/UTs, the number of scavengers and their dependents involved in manual cleaning of these dry latrines.

In terms of the National Action Plan for Total Eradiction of Manual Scavening by 2007, as prepared by the Planning commission, Ministry of Urban Employment & Poverty Alleviation has been made as the nodal Ministry for implementation of all the three components of the programme *viz.* the employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act. 1993, the Integrated Low Cost Sanitation (ILCS) scheme and the National Scheme of Liberation and Rehabilitation of Manual Scavengers and their dependents (NSLRS) for ensuring better coordination in the implementation of the programmes.

A Central Monitoring committee under the Chairpersonship of Secretary (SJ&E) has been constituted to monitor the implementation of the National Action Plan.

Comments of Audit

Ministry had reported in its reply to the post-evidence questionnaire (July 2005) that the Secretary, Ministry of Urban Employment & Poverty Alleviation had requested to Chief Secretaries of the States/UTs, *vide* d.o. letter dated 10.9.2004, to conduct a detailed survey on the number of dry latrines in existence in the States/UTs, the number of scavengers and their dependents involved in manual clearing of these dry latrines at the earliest. Ministry has reiterated the position in the action taken note to the PAC report. It is evident from the reply that no progress has been made in the survey since September, 2004, despite the fact that PAC has noted its report that the absence of creditable database of targeted beneficiary has robbed in scheme of its objectivity. Therefore, Ministry may mention the time frame within which the said survey will be completed.

Revised Action Taken Note

As per the information supplied by State Governments and as per the 38th Round NSSO Survey in 1989, the total number of dry latrines yet to be converted into wet toilets stands at 1.16 million units.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

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Observation and Recommendation

The major provision of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, states that State Government may by notification, specify that no person shall engage in or employ for and permit to be engaged in or employed for any other person for manually carrying human excreta, or construct or maintain a dry latrine. However, the Committee note that the scheme suffered, because it was not calibrated to relate its parameters to the legal framework provided by the Act and continued to operate in a persuasive mode without the legal means to penalize for its violation. Although only 17 States have adopted this Act, yet its implementation aspects left much to be desired since these States have failed to analyse and substantiate with facts for its effective implementation. Some of the States have not even adopted the Act till date, and the Ministry has neither assessed the drawbacks in its enforcement nor has taken concrete steps to ensure its adoptions and implementation. The law that prohibited the engagement of manual scavengers, thus, could have provided a powerful instrument to the implementers of the Scheme. By adopting this Central Law and enforcing it in right earnest, the States could have paved the way for the successful implementation of the Scheme and liberation of scavengers would have progressed in tandem with rehabilitation measures. The fact that this was not adopted and implemented by all the States is regretted. The committee recommend that the Ministry should look into the grey areas experienced by the States in enforcing the Act and bring out clear cut steps to remove the bottlenecks and corelate the legal framework with the attainment of objectives of the Scheme. The Committee also hope that the Ministry will wake up to their responsibility and ensure that the Act is adopted by all the States which are yet to adopt it and at the same time, initiate urgent measures for its implementation in all the States.

[Sl. No. 3, Appendix II, Para No. 105 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

The employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 has been adopted by 17 States and all the UTs. Out of remaining 11 States, 6 States have reported that there are no dry latrines or they are scavenger free Rajasthan has its own Act. Himachal Pradesh has made provision in their Municipal Act, J&K, Meghalaya and Uttaranchal are three States who have not yet adopted the Act.

Recently, in the conference of State Welfare Ministers on Manual Scavenging held on 22.6.2005 in New Delhi, the representatives of the Meghalaya and Uttaranchal have informed that they have adopted the Act. Thus, J&K is the only State which has not adopted the Act. In the said conference, Government of J&K has been impressed upon to adopt the Act.

Penal provisions have already been made in Clause 14 in the chapter IV of the Act, which reads as under:—

> "whoever fails to comply with or contravenes any of the provisions of this Act, or the rules or scheme made or orders or directions issued thereunder, shall, in respect of each such failure or contravention be punishable with imprisonment for a term which may extend to one year or with fine, which may extend to two thousand rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to one hundred rupees for every day during which such failure or contravention continued after the conviction for the first such failure or contravention"

Comments of Audit

(i) Ministry may clearly mention which six States have reported that there are no dry latrines or they are scavenger free.

(ii) PAC has regretted that the Act had not been adopted and implemented by all States and have recommended that Ministry should look into the grey areas experienced by the States in enforcing the Act and bring out clear cut steps to remove the bottlenecks and correlate the legal framework with the attainment of objectives of the Scheme. However, Ministry has not mentioned any Action Taken to address the recommendation of the PAC. Ministry has also not mentioned the specific measures taken to correlate the legal framework with the attainment of objectives of the Scheme.

Revised Action Taken Note

(i) The State Governments of Kerala, Manipur, Mizoram, Sikkim, Arunachal Pradesh and Nagaland have specifically informed the Ministry that there are no dry latrines nor any manual scavengers in their respective States.

(ii) As per the latest information available, all the State Governments except Jammu & Kashmir have adopted the Act in their respective States. The State Government of J&K has been requested to indicate the position with respect to adoption of the Act.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Committee found that District Collectors were to act as key functionaries for coordinating with training institutes, financial institutions and various departments of State Governments executing welfare schemes. However, their role was confined largely to survey and indentification of beneficiaries. The responsibility of the Scheme was transferred to Scheduled Castes Development Financial Corporations, which were not accountable to the District Collectors in the normal course of their functioning. These organisational mismatches adversely affected the implementation of the Scheme.

[Sl. No. 13, Appendix II, Para No. 115 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

The NSLRS envisages that the District Collector/District Magistrate/Deputy Commissioner of the district would be responsible for overall implementation of the scheme. District Collector is the Chairman of the District Monitoring Committee, which is responsible for overall implementation and monitoring of the scheme. Various District level Monitoring Committee meetings were held under the Chairpersonship of the district Collector for monitoring the implementation of the scheme at District level.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Committee are surprised to note that the Central Monitoring Committee met only once in February 1993 during 1992—2002, while it should have at least met 40 times. In some States, the State Level Monitoring Committee have not even met once. The Committee are also unhappy to note that in some States, the State Level Committee, District Level and Town Level Committees have not even been set up. Even the reporting system is faulty leading to incorrect/incomplete identification of beneficiaries, non-identification of skill requirements, lack of monitoring mechanism, lack of awareness among beneficiaries, lack of motivation for self-help and misutilisation of financial assistance by the beneficiaries. The Committee note that it was through the District Collector and interaction with banks, Urban local bodies, SCDCs, Training institutes and Monitoring Committees was sought to be achieved. It is however, noticed that the role of the Collector was confined largely to survey and identification and that too not in all cases. The day-to-day implementation of the scheme was done by SCDCs. The State Governments passed the funds directly to the SCDCs and District Collector had no role to play. Hence, there was a lack of coordination in the operation of the scheme. In many cases, the district level Monitoring Committees under the Chairmanship of Collectors were not formed. There was lack of coordination among the State level Departments as well as among

the Central Ministries involved in the Scheme. Therefore, the Committee strongly recommend that the application of scavengers for loans from the banks should be routed through the District Collectors office so that they can identify their needs and suggest viable project, so that their loan applications are not rejected by the banks out rightly. Even if the Central authority of loan disbursement remain with the SCDCs, still the loans to the individual should be disbursed through the District Collectors office so that the role of District Collector become more effective and the monitoring of training and rehabilitation measures is done at district level effectively. The Committee, therefore, are inclined to conclude that there is a major deficiency in the monitoring system at the levels. They, therefore, desire the Ministry to put in place a suitable mechanism to ensure that the Central Level Committee and the Committees at the State Level must meet regularly to ensure a high vigil over the progress of the Scheme. As the scheme is implemented through District level officials, the District collector should also be involved in finalisation of the projects and disbursement of funds. The Committee recommend that the Ministry should strive to ensure threadbare analysis of the reports submitted by the different Monitoring Committees at different levels. This would facilitate identification of bottlenecks in the implementation process for rectification. The Committee also recommend that the States, which are yet to set up various monitoring Committees should be asked to act immediately now.

[Sl. No. 18, Appendix II, Para No. 120 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

The Government of India has been emphasizing the need for strict monitoring of the scheme for effective implementation.

As per the NSLRS, the District Collector/District Magistrate/Deputy Commissioner of the district would be responsible for overall implementation of the scheme. District Collector is the Chairman of the District Monitoring Committee, which is responsible for overall implementation and monitoring of the scheme. Various District level Monitoring Committee meetings were held under the Chairpersonship of the District Collector for monitoring the implementation of the scheme at District level.

A Central Monitoring Committee under the Chairpersonship of Secretary (SJ&E) has been constituted as per the directions of the Cabinet Secretariat to review the National Action Plan prepared by the Planning Commission. The Committee has members from the Ministry of Urban Employment and Poverty Alleviation, the Ministry of Rural Development and other concerned agencies. Four meetings of the Central Monitoring Committee have so far been held on 28.11.2003, 26.7.2004, 26.10.2004 and 10.5.2005.

Comments of Audit

(i) Ministry has not mentioned the Action Taken on the recommendation of the PAC regarding the larger role of district collector in the loan disbursement to the scavenger to make the monitoring of training and rehabilitation measure more effective at district level.

(ii) Ministry may mention the specific efforts made to ensure that Central Level Committee and the Committees at the State Level meets regularly. The system developed to ensure threadbare analysis of reports submitted by the different Monitoring Committee at different levels may also be elaborated. Ministry may mention the direction given to those States, which are yet to set up various Monitoring Committees.

Revised Action Taken Note

(i) It is reiterated that as per the NSLRS, the District Collector/District Magistrate/Deputy Commissioner of the district would be responsible for overall implementation of the scheme. District Collector is the Chairman of the District Monitoring Committee, which is responsible for overall implementation and monitoring of the scheme. Various District level Monitoring Committee meetings were held under the Chairpersonship of the district Collector for monitoring the implementation of the scheme at District level.

(ii) It is reiterated that the Government of India has been emphasizing the need for strict monitoring at various levels for effective implementation of the scheme.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

CHAPTER IV

OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

Observation and Recommendation

The Committee note that the 'National Scheme of Liberation and Rehabilitation of Scavengers and their Dependents' mark the convergence of several public initiatives over a period of four decades preceding its introduction in 1992. It was introduced by the Ministry of Welfare (now Ministry of Social Justice & Empowerment) on 22nd March, 1992 with the objective to provide alternative, dignified and viable occupation to them. The Centrally Sponsored Scheme was conceived to deal with three principal issues. Firstly, the identification of scavengers and their dependents through a time bound survey; secondly, imparting of training in their identified trades; and thirdly, providing subsidy, margin money and bank loan for their rehabilitation. While bifurcating the integrated scheme of Liberation and Rehabilitation of Scavengers in 1991, the liberation camponent was entrusted to the Ministries of Urban and Rural Development and the rehabilitation component was entrusted to the then Ministry of Welfare (now Ministry of Social Justice and Empowerment) along with the nodal responsibility for the Scheme. Undoubtedly, the Scheme was well intentioned with the objective to provide an alternative, dignified and viable occupation to scavengers and their dependents in a stipulated time span. However, the Committee are constrained to point out that it has failed to implement its operational parameters in a highly stratified society resisting change from a hereditary occupational structure even after 10 years of its implementation involving investment of more than Rs. 620 crore. It is a matter of national shame that anywhere between 5-8 lakh manual scavenger remain unrehabilitated. The scheme failed to deliver its social vision after ten years of continuous but regrettably half-hearted efforts. It failed in working out a coherent strategy for policy initiatives as it could not take advantage of an existing law that prohibited employment of Scavengers. Divorcing liberation from rehabilitation was an error of judgement that weakened the foundation of the Scheme and led to uncoordinated efforts without focus. It failed in enhancing or re-orienting the skill-levels of the beneficiaries necessary for change of occupation. For the same reason, it failed in its mission of replacing the hereditary practice by skill-based choice of profession. Absence of base-line survey, non-involvement of district development authorities, commercialisation of the assistance patterns have led to a loss of focus of the monitoring aspect of the scheme.

[Sl. No. 1, Appendix II, Para No. 103 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

As per the Entry No. 6 of list-II of the Seventh Schedule of the Constitution of India, "Sanitation" is a State subject. However, in order to supplement the efforts of

the State Governments to put an end to this abominable practice as quickly as possible, Ministry of Urban Employment & Poverty Alleviation enacted a Central legislation, namely the Employment of manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. The State Governments are responsible for enforcing the various provisions of the Act. The Central legislation was enacted for to enable uniformity in provisions. The fundamental issue remains the planning and implementation of the provision of the Act by State Governments and coordination among their nodal agencies because the problem lies in the domain of the State Governments and their nodal agencies. The Model by-laws cannot be implemented without adoption, support and involvement of the State Governments. Section 23 of the said Act also empowers the State Governments to make rules for carrying out the provisions of this Act.

All the UTs and 17 States have adopted the said Act. Out of remaining 11 States, 6 States have reported that there are no dry latrines or they are scavenger free. Rajasthan has its own Act. Himachal Pradesh has made provision in their Municipal Act. J&K, Meghalaya and Uttaranchal are the three States who have not yet adopted the Act.

However, the National Scheme of Liberation and Rehabilitation of Manual Scavengers and their dependents (NSLRS) was introduced during the year 1991-92 with the objective to liberate the scavengers and their dependents from their existing hereditary obnoxious and inhuman occupation of manually removing night soil and filth and to provide for and engage them in alternative and dignified occupations. Under the scheme, 1,56,812 and 4,08,972 scavengers and their dependents were trained and rehabilitated respectively up to 31.3.2002. Thereafter, the scheme was transferred to the Ministry of Urban Employment and Poverty Alleviation in August, 2003 as per the dicision of the Committee of Secretaries (COS).

A 'National Action Plan for Total Eradication of Manuual Scavenging by 2007' has been prepared by the Planning Commission. The Ministry of Urban Employment and Poverty Alleviation has been made as the Nodal Ministry at the Centre. A Central Monitoring Committee has been constituted under the Chairpersonship of Secretary (SJ&E) to review the implementation of the National Action Plan.

Secretary (UE&PA) has already addressed to all Chief Secretaries of the States and UTs to conduct a detailed survey on the number of dry latrines in existence in the States/UTs, the number of scavengers and their dependents involved in manual cleaning of these dry latrines.

As per the decision taken in the meeting of the COS held on 11.3.2005, the Ministry of Social Justice and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers.

Government of India is also according highest priority to rehabilitation of manual scavengers by including it as one of the items in the Thrust Areas of the Ministry of Social Justice & Empowerment.

The Committee of Ministers on Dalit Affairs in its meeting held on 21.6.2005 has decided to divide itself into six Sub Groups to go into different aspects of welfare and development of Scheduled Castes in a comprehensive manner. One of the groups in Sub-Group-V: Liberation and Rehabilitation of Manual Scavengers. A Sub-Group V on

Liberation and Rehabilitation of Manual Scavengers has been constituted under the Chairpersonship of Hon'ble Minister (SJ&E). First meeting of the said Sub-Group was hald on 16.8.2005.

Comments of Audit

PAC have, in their report, mentioned that it is a matter of national shame that anywhere between 5-8 lakh manual scavenger remain unrehabilitated. Despite the remaks of PAC, the Action Taken by Ministry to implement the scheme to eliminate the manual scavenging are not satisfactory, as is evident from the audit observations on Action Taken note of Ministry on succedings paragraphs of the PAC report.

Revised Action Taken Note

The Ministry of Social Justice and Empowerment is formulating an integrated scheme for rehabilitation of manual scavengers. The proposed scheme envisages that all the manual scavengers will be rehabilitated by 2008.

Sd/-

Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

For the success of the scheme proper identification of scavengers and their dependents was vital. However, various sureveys for identification of scavengers and their depedents necessary to locate, specify and to give particularized training to the beneficiaries according to their needs were often not methodologically sound. The result varied widely. Even the definition of 'Scavengers' was not settled which resulted in the inclusion of ineligible persons in the list of beneficiaries. Even the Ministry of Welfare in 1996 received reference from various State Governments about the exact definition of a Scavenger. Thus the absence of proper definition of 'Scavenger' led to different surveys by different agencies. As many as five different set of figures were in the Ministry's possession. The Committee note that the baseline surveys conducted in the States suffered from a number of infirmities which resulted in non-availability of any reliable data with the Ministry even after a decade on the number of scavengers and their dependents which was essential to estimate the fund requirements, to facilitate the preparation of a well considered action plan. At this state, the Committee cannot but over emphasise the need for fresh survey to be undertaken immediately so as to ensure the availability of a reliable data of the number of scavengers to be liberated and rehabilitated. For this, it is also essential to define the boundaries so as to make the out reach of the scheme only to the potential beneficiaries i.e. Scavengers as envisaged in the scheme and not to all the Safai Karamcharies engaged in clearning and sweeping occupation as extention of benefit to them is construed as leakage of benefits to ineligible persons.

[Sl. No. 4, Appendix II, Para No. 106 of 9th Report of PAC (14th Lok Sabha)]

Acation Taken

The "Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993" defines 'manual scavenger' as a person engaged or employed for manually carrying human excreta.

As per the National Action Plan, proper identification of manual scavengers is required to be done as per the definition given in the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 and photo-IDs should be issued to the identified scavengers.

Secretary, Ministry of Urban Employment and Poverty Alleviation has requested the Chief Secretaries of the States on 10th September, 2004 to carry out the survey on an urgent basis.

Comments of Audit

Ministry had reported in its reply to the post-evidence questionnaire (July 2005) that the Secretary, Ministry of Urban Employment & Poverty Alleviation had requested to Chief Secretaries of the States/UTs. *vide* d.o. letter dated 10.9.2004, to conduct a detailed survey on the number of dry latrines in existence in the States/UTs, the number of Scavengers and their dependents involved in manual clearing of these dry latrines at the earliest. Ministry has reiterated the position in the Action Taken note to

the PAC report. it is evident from the reply that no progress has been made in the survey since September, 2004, despite the fact that PAC has noted its report that the absence of creditable database of targeted beneficiary has robbed in scheme of its objectivity. therefore, Ministry may mention the time frame within which the said survey will be completed.

Revised Action Taken Note

As per the information supplied by State Governments and as per the 38th Round NSSO Survey in 1989, the total number of dry latrines yet to be converted into wet toilets stands at 1.16 million units.

Sd/-

Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Committee feel that Liberation, meaning removal of the very cause and basis of manual scavenging, thereby allowing the beneficiary liberate from the stigmatised occupation, should have been the cornerstone of the Scheme as there could be no rehabilitation without liberation. Some half-hearted measures seem to have been taken in rural as well as in urban areas to convert dry latrines into wet latrines. A lot, however, needs to be done to liberate all the scavengers. For this, it is necessary that revised stipulated targets are refixed for conversion of dry latrines into wet latrines for which a time bound programme may be drawn up to achieve the revised targets. Lack of requisite funds should not come in the way of successful achievement of the objectives and therefore, the Ministry accordingly should take timely and effective steps to provide the necessary funds. The Committee would also like the Ministry to have close coordination with HUDCO and other implementing agencies in Urban as well as in Rural areas to accomplish the task. For this, proper monitoring of the physical and financial targets should be carried out at the highest level.

[Sl. No. 9, Appendix II, Para No. 111 of 9th Report of PAC (14th Lok Sabha)]

Action Taken

As and when the proposals are received from the State Governments, these were processed and funds released as per the guidelines of the scheme.

The Ministry of Urban Employment and Poverty Alleviation is working in close coordination with HUDCO and other implementing agencies in respect of conversion of dry latrines. A Coordination Committee headed by the Chief Economic Adviser is also working at the Ministry level.

Comments of Audit

PAC have recommended that revised stipulated targets should be refixed for conversion of dry latrines into wet latrines for which a time bound programme may be drawn up to achieve the revised targets. However, Ministry has sanctioned in the action taken note that as and when the proposals are received from the State Governments, these were processed and funds released as per guidelines of the scheme. Ministry's action is not in consonance with PAC recommendation, which stresses on target based approach instead of demand-driven approach adopted by Ministry for conversion of dry latrines into wet latrines.

Revised Action Taken Note

The Planning Commission has formulated National Action Plan for Total Eradication of Manual Scavenging by 2007. For effective implementation and monitoring of the National Action Plan, a Central Monitoring Committee under the Chairmanship of Secretary, Ministry of Social Justice and Empowerment has been constituted.

Ministry of Urban Employment and Poverty Alleviation organized a Conference of State Welfare Ministers on 22.6.2005 on 'Eradication of Manual Scavenging'. Representatives of various States/Central Ministries/Organisations and NGOs took part in this Conference. The Conference was convened to expand the awareness and also to evaluate the impact of Govt.'s programme in the field of liberation and rehabilitation of scavengers.

Minister of State (Independent Charge) for Urban Employment and Poverty Alleviation has also written to the Chief Ministers of States to impress upon the implementing agencies of various States to accord top priority to the schemes, which relates to the welfare of the weaker sections of the society.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

Observation and Recommendation

The Scheme provides for the setting up of a network of Monitoring Committees *i.e.* Central Monitoring Committee at the apex level, State-level Monitoring Committees, supported by District-level Monitoring Committees and the Town Committees or Mohalla Committees at the ground level. While the Central and State-level Committees were required to meet quarterly, no periodicity was prescribed for District and Town Committees.

[Sl. No 17, Appendix II, Para No. 119 of 9th Report of PAC (14th Lok Sabha)]

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Action Taken

Although no periodicity has been prescribed for District and Town Committees, these committees are to meet in such intervals as required for effective and fruitful implementation of the Scheme.

Sd/-
Signature of Joint Secretary

[Ministry of Social Justice and Empowerment O.M. No. 11023/4/2005-SCD-V dated 21st June, 2006.]

CHAPTER V

OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH GOVERNMENT HAVE FURNISHED INTERIM REPLIES.

-NIL-

NEW DELHI;
24*th July*, 2007
2 *Sravana,* 1929 (*Saka*)

PROF. VIJAY KUMAR MALHOTRA,
Chairman,
Public Accounts Committee.

PART-II

MINUTES OF THE SIXTH SITTING OF THE PUBLIC ACCOUNTS COMMITTEE (2007-2008) HELD ON 18th JULY, 2007

The Committee sat from 1100 hrs. to 1130 hrs. on **18th July, 2007 in Room No. 51 (Chairman's Chamber),** Parliament House, New Delhi.

PRESENT

Prof. Vijay Kumar Malhotra — *Chairman*

MEMBERS

Lok Sabha

2. Shri Kirip Chaliha
3. Shri Khagen Das
4. Shri P.S. Gadhavi
5. Shri R.L. Jalappa
6. Shri Raghunath Jha
7. Shri Bhartruhari Mahtab
8. Dr. Rajesh Mishra
9. Shri K.S. Rao
10. Shri Mohan Singh
11. Shri Tarit Baran Topdar

Rajya Sabha

12. Shri Janardhana Poojary
13. Shri Suresh Bhardwaj
14. Shri Prasanta Chatterjee
15. Dr. K. Malaisamy
16. Shri Ravula Chandra Sekar Reddy

SECRETARIAT

1. Shri A. Mukhopadhyay — *Joint Secretary*
2. Shri Brahm Dutt — *Director*
3. Shri M.K. Madhusudhan — *Deputy Secretary-II*
4. Shri Ramkumar Suryanarayanan — *Under Secretary*
5. Shri N.K. Jha — *Under Secretary*

Office of the Comptroller and Auditor General of India

1. Shri Nand Kishore — Pr. Director (AB)
2. Shri Jayanti Prasad — Pr. Director (INDT)

2. At the outset, the Chairman, welcomed the Members of the Committee to the sitting. Thereafter, the Committee took up for consideration and adoption of the following draft Reports:—

(i) Draft Report relating to **"Functioning of Employees' State Insurance Corporation (ESIC)";**

(ii) Draft Report relating to **"Avoidable expenditure due to delay in taking decision — Chennai Port Trust";**

(iii) Draft Report relating to **"Delay in finalisation of demands";**

(iv) Draft Report relating to **"Property Management by Ministry of External Affairs";**

(v) Draft Report on Action Taken on 9th Report of PAC (14th Lok Sabha) on **"National Scheme for Liberation and Rehabilitation of Scavengers"; and**

(vi) Draft Report on Action Taken on 27th Report of PAC (14th Lok Sabha) on **"Non-disposal of uncleared/unclaimed Imported cargo in ICDs/CFSs".**

After some deliberations, the Committee adopted these draft Reports without any amendments/modifications and authorized the Chairman to finalise and present the same to Parliament in the light of factual verification done by audit.

3. The Committee then desired that Audit may be asked to revive the practice (upto 12th Lok Sabha) of furnishing to the Committee a compilation *titled **"Epitome of the Reports of the Central Public Accounts Committee"*** containing Action Taken by the Ministries on the recommendations made by PAC in their Reports alongwith the status of their implementation.

4. Further, it was decided that the Committee would convene their next sittings on **30th and 31st July, 2007.**

The Committee then adjourned.

APPENDIX

OBSERVATIONS AND RECOMMENDATIONS

Sl. No.	Para No.	Ministry/Deptt. Concerned	Observations/Recommendations
1	2	3	4
1.	8	Social Justice and Empowerment	Even though the Government had formulated grandiose plans for eradication of manual scavenging by 2007and rehabilitation of all manual scavengers by 2008. The Government has not made available any information relating to targets set and achievements made during each of the years since 2002, in respect of the number of manual scavengers that were liberated and rehabilitated. In the absence of any meaningful feedback, the Committee cannot but conclude that much progress has not been made in respect of the implementation of the Scheme. Obviously, there was not monitoring mechanism to review the targets fixed and achievements made there against during each year under the scheme, which is anything but regrettable. Further, under the new scheme namely 'Nation Action Plan for Total Eradication of Manual Scavenging by 2007', prepared by the Planning Commission and entrusted to the Ministry of Urban Employment and Poverty Alleviation for its implementation, no mention has been made with regard to the physical targets laid and achievements made their against. Besides, there has been no mention about the achievements made in respect of the number of scavengers rehabilitated under the Integrated Scheme for Rehabilitation, being implemented by the Ministry of Social Justice and Empowerment, though the scheme intends to rehabilitate all the manual scavengers by 2008. The

1	2	3	4
			Committee deplore the callous attitude displayed by the Ministry in not furnishing the requisite information to the Committee. The Committee are of the view that there is no point in setting goals unless and until a concrete and time bound action plan is prepared and yearly targets are fixed for achievement of the same. The Committee expect that the Ministry would apprise them of the total number of manual scavengers liberated and rehabilitated under the NSLRS till March, 2007 and those which are yet to be liberated and rehabilitated. They would also like to be apprised of the targets set and achievements made upto 31st March, 2007 under the Integrated Scheme for rehabilitation of manual scavengers. The Committee would also like the Ministry of Social Justice and Empowerment and Ministry of Urban Development to work in close coordination alongwith the State Governments so that the schemes envisaged for the benefit of scavengers are implemented in letter and spirit.
2.	12	Social Justice and Empowerment	The Committee were dismayed to find that the Ministry have not taken any concrete steps for implementation of its recommendation for conducting a fresh survey to identify the potential scavengers which are to liberated and rehabilitated. The Ministry have merely mentioned about the request that was made by the then Secretary to the Chief Secretaries of States way back in September, 2004 for carrying out the survey, and that too much before presentation of the Report by the Committee. There is no evidence to suggest whether Ministry have taken any follow up action to persuade the State Governments to complete the survey expeditiously, even after lapse of about 3 years since the date of their request. This shows that the Ministry have not taken up the survey work with all the seriousness which it deserves. While deploring the

1	2	3	4
			lackadaisical approach adopted by the Ministry, the Committee recommend that Ministry should atleast woke up now and ensure completion of the survey by the States expeditiously within a time-bound period so that it would facilitate in arriving at a proper estimate about the number of scavengers that are required to be liberated/rehabilitated and specific future plans for covering these people in a time bound programme.
3.	15	Social Justice and Empowerment	The Committee express their satisfaction that a National Action Plan has been formulated for total eradication of manual scavenging by 2007 and a Central Monitoring Committee under the Chairmanship of Secretary, Social Justice and Empowerment has been constituted for effective implementation and monitoring of the Action Plan. The Committee trust that the scheme would be implemented in the right earnest by the Ministry in close coordination with the State Governments and the implementing agencies so that the objective of total eradication of manual scavenging is achieved within the period stipulated under the National Plan. The Committee would also like to be apprised of the progress made in the eradication of manual scavenging within three months of the presentation of Report. The Committee desire that the Ministry of Uraban Employment and Poverty Alleviation should formulate a time bound programme under which all the dry latrines may be converted into wet latrines. The Ministry should frequently interact with the State Governments and the implementing agencies at regular intervals so as to monitor the progress made in the implementation of the schemes relating to eradication of manual scavenging.
4.	18	Social Justice and Empowerment	The Committee are not satisfied with the reply of the Ministry. Non-fixing of any periodicity for the meetings to be held by District and

1	2	3	4
			Town Monitoring Committees would lead to slackness and complacency as it would not be binding on the part of the District Authorities to hold the meetings at regular intervals. The Committee are of the opinion that periodicity at which the District and Town Committees should meet in a year should be prescribed in clear cut terms so that there is no ambiguity in this regard and there can be proper monitoring of the scheme by these Committees. Needless to emphasise, periodic review of work would facilitate the Central as well as State level Monitoring Committees to review the progress made in the implementation of the programme throughout the country.

MGIPMRND—3409LS(5)—13-10-2007.